



Coyote Valley Specific Plan

Task Force Meeting #3

151 West Mission Street, Room 202 a and b

Summary of the Meeting of
January 13, 2003

Advisory Group Members Present:

Mayor Ron Gonzales (co-chair), Councilmember Forrest Williams (co-chair), Councilmember Pat Dando, Supervisor Don Gage, Eric Carruthers, Gladwyn D'Souza, Helen Chapman, Jim Cunneen, Russ Danielson, Amy Dean, Craig Edgerton, Dan Hancock, Doreen Morgan, Chris Platten, Ken Saso, Steve Schott, Jr., Steve Speno, Neil Struthers, and Terry Watt.

Advisory Group Members Absent:

Chuck Butters.

Community Members Present:

Marc Lucca, Annie Saso, David Zippin, Susan Mineta, Kerry Williams, Karina Vargas, Anoopum Jassal, Ray Hashimoto, Ron Duke, Tim Steele, Robert Benich, Valerie Young, Bobbie Fischler, Joe Runco, Teresa Alvarado, Michael Bomberger, Craig Breon, and Robert Oneto.

City and Other Agencies Staff Present:

Linda LeZotte (District 1), Anthony Drummond (District 2), Heather McGowan (District 2), Keith Stamps (District 2), Denelle Fedor (District 10), Scott P. Johnson (Finance), Jodie Clark (PBCE), Laurel Prevetti (PBCE), Joseph Horwedel (PBCE), Sal Yakubu (PBCE), Marc Klemencic (SCVWD), and Luke Vong (DOT).

1. Welcome

The meeting convened at 5:35 p.m.

Co-chairs Ron Gonzales and Forrest Williams introduced themselves and welcomed the members of the Task Force and the audience to the third meeting of the Coyote Valley Specific Plan Task Force. Members of the Task Force introduced themselves and identified their affiliations. Staff from the City and other agencies, and the general public also introduced themselves.

2. Acceptance of November 4, 2002 Meeting Summary

The meeting summary for the November 4th Task Force meeting was unanimously accepted. Prior to this acceptance, the Task Force agreed to a member's request that any information forwarded to the Planning Commission or the City Council for their consideration or action regarding the Coyote Valley Specific Plan be sent to all Task Force members prior to the Planning Commission or City Council meeting.

3. Habitat Conservation Plan

Mr. Joseph Horwedel, Deputy Director of Planning, Building and Code Enforcement, gave a presentation on Habitat Conservation Plans (HCP) and distributed a handout containing PowerPoint slides. The HCP is a powerful tool that allows communities to engage in comprehensive planning for responsible development without compromising endangered species and natural habitat. He explained that under the Federal Endangered Species Act (ESA) it is prohibited to "take" animals listed as threatened or endangered, except by an "incidental take" permit. In most instances, the preparation of an HCP is the single most effective way for private land development to obtain the aforementioned "take" in order to proceed.

The California Department of Fish and Game has adopted the State's version of the HCP, called the Natural Community Conservation Plan (NCCP). Joe explained that the City is working with the County, the Valley Transportation Authority (VTA) and the Santa Clara Valley Water District on a memorandum of understanding to prepare a Habitat Conservation Plan for a portion of the County and its habitat. The preparation of an HCP is an expensive, multi-year effort. Given the experience of San Joaquin and San Diego counties, the preparation of a countywide HCP could involve a minimum of 5 years and probably cost more than \$10 million.

Joe also discussed the status of existing species in the Coyote Valley Specific Plan area and their relationship to future development, the process for preparing an HCP and its mandatory elements, and the benefits of an HCP for planning, conservation, and development. In closing, Joe outlined the next steps required to begin an HCP. These include adopting a memorandum of

understanding among local partners on scope and funding, hiring consultants, obtaining planning agreements with all regulatory agencies including the US Fish and Wild Life Service and the California Department of Fish and Game, and developing an aggressive public outreach and education program.

Task Force members asked questions about the funding and performance of HCPs prepared by other agencies. Joe responded that the San Joaquin and San Diego HCPs provide a general sense of process and pitfalls, but San Jose staff has not yet engaged in an extensive study of those documents. Task Force members expressed concern about the type of private development that has occurred in San Joaquin and San Diego after the completion of an HCP. Joe explained that the land planning in those communities was separate and apart from the HCP. The land use choices are independent of the HCP. Task Force members expressed interest in doing high quality land planning as well as a sound HCP for Coyote Valley.

Other Task Force members expressed concern about a five-year time horizon to complete an HCP. Joe mentioned that a more focused HCP could reduce the time requirement.

Supervisor Gage indicated that the County is looking forward to a collaborative effort with the City on the HCP, adding that this approach will become a good example for other communities.

In terms of funding, Joe indicated that staff was currently projecting a total amount of \$16 million for the preparation of a countywide HCP, excluding the cost of purchasing mitigation lands. Various funding options are being considered including application for federal and state grants, apportionment of costs to participating local partners, potential front loading of these costs by local partners, and establishment of reimbursement procedures for property owners and future developers. He stated that one option is the preparation of a focused Coyote HCP that would be a subset of the countywide HCP, and therefore cost substantially less. To be effective, such a focused effort must involve adequate phasing, scheduling and coordination with the countywide HCP.

In response to another question on “certainty” for the development community as a benefit of preparing an HCP, Joe indicated that the City would be able to issue “incidental take” permits during the typical 40-year lifespan of the HCP.

4. Detailed Outreach Program

Ms. Laurel Prevetti, Deputy Director of Planning, Building and Code Enforcement, distributed a handout containing a detailed outreach plan in response to a request by the Task Force on November 4, 2002. She indicated that the purpose of the outreach plan was to identify a variety of forums and mechanisms to engage all interested people in the Coyote Valley Specific Plan process, giving them ample opportunity to present their comments on any part of the process. The proposed outreach plan’s elements include Task Force meetings, Technical Advisory Committee meetings, community outreach and meetings, property owner outreach and meetings,

other focused outreach and meetings, and public hearings.

In response to a question whether the outreach program includes the Habitat Conservation Plan, Laurel indicated that since the HCP demands a specific process partially driven by the science involved, the HCP is expected to have its own outreach, but it would be coordinated with the Coyote Valley Specific Plan effort. Task Force members identified additional stakeholders for the Specific Plan Technical Advisory Committee. In addition the Task Force was interested in the schedule of meetings for each forum, encouraging upfront outreach to maximize participation.

5. Public Comments

Robert Bench, a Planning Commissioner for the City of Morgan Hill, indicated that the City of Morgan Hill was interested in participating in the preparation of a countywide HCP. He also expressed his concern about the impact of development on north-south traffic and on elementary and middle schools.

6. Adjourn

The meeting was adjourned at about 7:05 p.m. The next meeting would be on March 10, 2003, and the one following would be on April 14, 2003.